

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES,

Plaintiff,

v.

DELANO RETAIL PARTNERS, LLC,
doing business as DELANO'S IGA
MARKET #1; ARTHUR S. BECKER, as
Trustee of the ARTHUR S. BECKER
REVOCABLE LIVING TRUST; and
RALPH'S GROCERY COMPANY,

Defendants.

No. C 10-3073 CW

ORDER STRIKING
DEFENDANTS'
SEPARATE
EVIDENTIARY AND
PROCEDURAL
OBJECTIONS (Docket
Nos. 78-5, 78-6,
78-7, 78-8 and 79)
AND GRANTING LEAVE
TO RE-FILE
OPPOSITION AND
CROSS-MOTION

On September 28, 2012, Defendants Arthur S. Becker, Trustee of the Arthur S. Becker Revocable Living Trust, and Ralphs Grocery Company filed their twenty page opposition to Plaintiff Craig Yates's motion for summary judgment and cross-motion for summary judgment. Docket No. 78-1. Defendants concurrently filed four separate documents consisting of evidentiary and procedural objections to Plaintiffs' motion for summary judgment. See Docket Nos. 78-5, 78-6, 78-7, 78-8 and 79.¹ These four documents total more than twenty-five pages.

Civil Local Rule 7-3(a) provides that, when a party files an opposition to a motion, "[a]ny evidentiary and procedural

¹ Defendants described Docket No. 78-6 as "Objection Decl. Frankovich" in the docket, apparently referring to the declaration by Plaintiff's counsel. However, the document attached to this docket entry is Defendants' notice of their cross-motion for summary judgment, which was also filed as Docket No. 78. Defendants also filed their objections to Mr. Frankovich's declaration as Docket No. 79.

1 objections to the motion must be contained within the brief or
2 memorandum," which may not exceed twenty-five pages of text. In
3 violation of Rule 7-3, Defendants has filed their evidentiary and
4 procedural objections separately from their brief. Further,
5 between the five documents, Defendants filed forty-five pages of
6 text.

7 Accordingly, the Court STRIKES Defendants' separate
8 evidentiary and procedural objections (Docket Nos. 78-5, 78-6,
9 78-7, 78-8 and 79). Defendants are granted leave to amend and
10 refile their opposition and cross-motion incorporating any
11 evidentiary and procedural objections, within two days of the date
12 of this Order. Defendants' amended opposition and cross-motion
13 shall not exceed twenty-five pages.

14 IT IS SO ORDERED.

15 Dated: 10/3/2012


16 CLAUDIA WILKEN
17 United States District Judge
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